

## EXHIBIT 1

### DESCRIPTION OF MODIFICATION (Response to Question 43, Form 312)

Pursuant to 47 C.F.R. § 25.117(e), Viasat, Inc. (“Viasat”) seeks a license modification to extend the deadline for completing construction and commencing operations provided in Section 25.133 of the Commission’s rules for the gateway earth stations authorized to operate with Viasat-2 at 69.9° W.L.<sup>1</sup> and listed on Exhibit 2. The gateways that are the subject of this request represent 17 of the 38 Viasat-2 gateways authorized in January 2017. Within the next month, Viasat anticipates being able to commence the operations of the 21 other Viasat-2 gateways without the need for additional time.

Section 25.133 requires construction completion and the commencement of operations of earth stations “within 12 months from the date of the license grant, except as may be determined by the Commission for any particular application.”<sup>2</sup> The gateway earth stations at issue thus currently are required to be constructed and brought into operation by January 19, 2018. Viasat seeks a one-year extension until January 18, 2019 to construct and bring into operation these gateways.

Consistent with 47 C.F.R. § 25.117(e), the requested extension of time is based on (i) circumstances beyond Viasat’s control, and (ii) unique and overriding public interest concerns. Viasat-2 was successfully launched on June 1, 2017, reached geostationary orbit in early December 2017 and is expected to commence commercial operations in early 2018. These gateway earth stations originally were planned to be brought into operation soon after the commencement of commercial operations of Viasat-2, which has not yet occurred. The reason is

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<sup>1</sup> See IBFS File Nos. SAT-LOI-20130319-00040 (granted Dec. 12, 2013); SAT-MOD- 20141105-00121 & SAT-AMD-20150105-00002 (granted Apr. 15, 2015); Call Sign: 2902 (“ViaSat-2 Authorization”).

<sup>2</sup> 47 C.F. R. § 25.133.

that the launch of Viasat-2 was delayed significantly due to circumstances beyond Viasat's control. Among other things, delays with the satellite manufacturer, delays with respect to previous third-party launches on the launch provider's manifest, and finally civil unrest at the launch site beginning in March 2017, all contributed to significant delays in the completion and launch of Viasat-2. Notably, the ITU determined that the delays in launching Viasat-2 constituted conditions of *force majeure* that warranted an extension of the bringing into use date for that satellite network.

Viasat has diligently pursued the procurement of materials and site leases for the construction of all of the gateway earth stations for Viasat-2, and has made other substantial investments in their construction. As noted above, Viasat expects 21 of those gateways to be brought into operation without the need for additional time. While Viasat expects that many of the gateways that are the subject of this request will be brought into service by mid-2018, certain of those locations likely will require up to a year.

Apart from the *force majeure* circumstances giving rise to this request, grant of an extension is warranted by the important public interest benefits associated with the revolutionary, state-of-the-art satellite broadband technology employed in the Viasat-2 network, both on the spacecraft and in the gateways. Viasat-2 will provide the highest satellite broadband data rates and capacity of any commercial satellite in operation. And it will do so throughout the United States, the rest of North America and stretching over the Atlantic to South America and Europe, where it will provide unparalleled broadband service to commercial airliners. Each of the currently authorized gateways is needed to allow Viasat-2 to achieve the level of capacity and quality of service that it is designed to provide. The requested extension will ensure that capacity can be achieved in practice.

For these reasons, and consistent with Commission precedent<sup>3</sup> ViaSat requests a license modification to extend the deadline for completing construction and commencing operations of the gateways earth stations listed on Exhibit 2 for a period of one year, until January 19, 2019.

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<sup>3</sup> *See, e.g.*, SES Americom, Inc., File No. SES-MOD-20170601-00617, Call Sign E160022 (granted Sept. 6, 2017) (granting a 14-month extension of the construction deadline); Telesat Network Services, Inc., File No. SES-MOD-20170907-00988, Call Sign E160134 (granted Oct. 25, 2017) (granting a one-year extension of the construction deadline); HNS License Sub, LLC, File No. SES-MOD-20170607-00627, Call Sign E160065 (granted July 31, 2017) (granting a one-year extension of the construction deadline).



**EXHIBIT 2**

The instant requests for modification are being made for the following earth station call signs:

E160110

E160098

E160112

E160107

E160106

E160130

E160103

E160101

E160100

E160097

E160096

E160095

E160131

E160104

E160114

E160102

E160094